

Montana Department of Public Health & Human Services	Policy
	MT CACFP 1999-6 Rev 2
	Section: All Institutions
Child and Adult Care Food Program	Subject: Civil Rights Compliance
	Date Revised: 5/1/11

CIVIL RIGHTS COMPLIANCE

The Child and Adult Care Food Program (CACFP) is a federally funded program committed to assuring that CACFP benefits are made available to all eligible individuals without regard to race, color, national origin, sex, age or disability. All institutions participating in the CACFP must comply with civil rights requirements, as stated in 7 CFR 226.6(m)(1): Title VI of the Civil Rights Act of 1964, prohibiting discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance; Americans with Disability Act and Section 504 of the Rehabilitation Act of 1973 prohibiting discrimination on the basis of disability; Title IX of the Education amendments of 1972 prohibiting discrimination on the basis of sex; and the Age Discrimination Act of 1975 prohibiting discrimination on the basis of age.

The State agency (SA) refers to Food and Nutrition Service (FNS) Instruction, Number 113-1, for All FNS Employees and State Agencies, as a resource to guide and enforce civil rights compliance. The SA refers to State agency policies MT CACFP 1999-6 Rev 3 Civil Rights Compliance and MT CACFP 2000-5 Rev 4 Non-discrimination Statement to guide and enforce civil rights compliance.

Civil Rights Compliance

To be in compliance with civil rights requirements, initially, upon enrollment of the CACFP, and annually thereafter, all participating institutions must comply with the following:

1. Assure all children are served the same meals at no separate charge regardless of race, color, national origin, sex, age, or disability, and there is no discrimination in the course of the meal service;
2. Determine the racial/ethnic categories for service area and beneficiaries;
3. Assure the institution's operations, including current admission and recruitment policies, do not restrict, deny enrollment, or create a barrier to participation on the basis of race, color, national origin, sex, age, or disability;
4. As part of public notification: grassroots organizations including those serving minority populations must be notified of the institution's participation in CACFP; the non-discrimination statement must be included on all institution's information provided to parents, guardians, and the public; the civil rights poster must be displayed in a public entrance (day care homes exempt); beneficiaries and potential beneficiaries must be informed of the institution's participation in the CACFP (referred to as parent notification), activities of the CACFP, and the CACFP non-discrimination statement and complaint procedure; and institutions must be able to provide informational materials in the appropriate translation;

5. Provide civil rights compliance training to staff; and
6. Provide a system to document complaints and potential complaints.

Initial Requirements

Initial requirements are met by reading, completing and fulfilling the requirements outlined in the following documents, which are permanent documents:

1. Instructions and Guidance: Civil Rights Compliance for Program Participation
2. Record of Civil Rights Compliance.

Annual Requirements

Annual requirements are met by reading, completing and fulfilling the requirements outlined in the civil rights compliance section, as part of the annual application update and sponsor management plan. Sponsoring organizations must annually train providers of day care homes on civil rights.

Civil rights compliance is ongoing and institutions must continue to inform beneficiaries and potential beneficiaries of the institution's participation in the CACFP (referred to as parent notification), activities of the CACFP, and the CACFP non-discrimination statement and complaint procedure; and institutions must be able to provide informational materials in the appropriate translation.

For posting requirements refer to the CACFP Non-discrimination Policy, MT CACFP 2000-5 Rev 1 and Posting Information Policy, MT CACFP 2000-3 Rev 4.

The State agency provides civil rights training annually to all of its institutions participating in the CACFP.

The State agency publishes a CACFP media press release annually to notify the public of institutions participating in the CACFP, on behalf of all institutions participating in CACFP. These media releases are posted on the CACFP website at the time of release and are retained there for a minimum of one year.

State Agency Responsibility

State agency staff responsible for civil rights compliance, including responsibility for the Section 504 and Title IX coordination is: Bureau Chief, Early Childhood Services, Montana Department of Public Health and Human Services, PO Box 202925, Helena, MT 59620-2925.